

Based on the following arguments, Applicants respectfully traverse the Examiner's rejections under 35 U.S.C. § 101 and 35 U.S.C. § 103(a).

I. The Rejections Under 35 U.S.C. § 101

The Examiner asserts that claims 20-25 and 31-36 are directed to non-statutory subject matter because “the claimed methods could be performed manually without the use of a computer or other technological instrument. [The] Examiner suggests reciting the use of a computer in the body of the claim to meet the technological arts requirement.” *See Office Action, page 2, ¶ 3.* Applicants propose amending claims 20, 21, 31, and 32 to indicate that the processes recited in these claims are performed electronically to address the Examiner's concern.

Notwithstanding these amendments, Applicants traverse the Examiner's assertion that the use of a computer is required in the body of these claims to meet the technological arts requirement set forth by the Examiner. In particular, reciting in the preamble that a claimed method is performed by a computing system or a similar system is sufficient to meet the asserted requirement. For example, amended claim 20 recites:

[a] method for facilitating electronic business transactions between a providing entity and a purchasing entity, *the method performed by a computing system comprising:* ...
[emphasis added].

The fact that the method for facilitating electronic business transactions is performed by a computing system clearly sets forth the scope of the claim and removes any ambiguities regarding that the method is exclusively performed manually. The same argument applies to amended claims 21, 31, and 32.

Furthermore, any terminology in the preamble that limits the structure of the claimed invention must be treated as a claim limitation. See M.P.E.P. § 21102(8th Ed., Aug. 2001). Thus, all the claims recited proper subject matter even without the amendments.. The same argument applies to amended claims 21, 31, and 32.

Because claims 20-25 and 31-36 are each patentable subject matter, Applicants request that the rejection of these claims under 35 U.S.C. § 101 be withdrawn and the claims allowed.

II. The Rejection Under 35 U.S.C. § 103(a)

Applicants respectfully traverse the rejection of claims 1, 2, 5-38, 41-63, and 66-86 under 35 U.S.C. § 103(a) as unpatentable over Anderson et al. in view of Guzelsu because the Examiner has failed to establish a *prima facie* case of obviousness.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, the prior art reference (or references when combined) must teach or suggest all the claim elements. Furthermore, "[a]ll words in a claim must be considered in judging the patentability of that claim against the prior art." See M.P.E.P. § 2143.01 (8th Ed., Aug. 2001), quoting *In re Wilson*, 424 F.2d 1382, 1385, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970). Second, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify a reference or to combine reference teachings. Finally, there must be a reasonable expectation of success. See M.P.E.P. § 2143 (8th Ed. 2001), pp. 2100-122 to 127.

a. The references do not teach the recitations of claims 1-86

The Examiner asserts that Anderson et al. teaches all of the recitations of claim 1, expect for an invoice having a plurality of entries. To compensate for these shortcomings, the Examiner relies on Guzelsu. See *Office Action*, page 3, ¶ 1. Applicants disagree.

Anderson et al. discloses a system for processing invoices. The system uses an invoice reviewer that displays invoices to a customer for subsequent review and approval. Anderson et al. merely discloses a process for entire invoice processing. The system of Anderson et al., however, does not teach performing a process that, for each entry of an invoice, determines an individual with authority to approve the entry, making the entry available to the individual, and receiving an indication from the individual reflecting a decision whether to approve the entry, as recited in claim 1. The reference does not mention, or has the capabilities for, processing entries in an invoice in a manner consistent with the recitations of claim 1.

The Examiner asserts that Anderson et al. discloses “an indication [that] is received from the individual reflecting a decision on whether to approve the entry.” As mentioned above, however, Anderson et al. merely discloses full invoice processing, and does not teach or suggest entry approval processing, much less a business process that performs the steps for each entry of an invoice, as recited in claim 1.

Guzelsu does not make up for the deficiencies of Anderson et al. Guzelsu discloses a system that performs reconciliation processes for invoice items. These processes compare approved items with vendor items to automatically audit vendor invoices. The reference, however, fails to teach or suggest a process for facilitating

electronic business transactions, as recited in claim 1. For example, Guzelsu does not teach or suggest determining, for each entry in an invoice, an individual with authority to approve the entry based on the item type, making the entry available to that individual, and receiving an indication from the individual reflecting a decision to approve the entry. Indeed, Guzelsu provides an automated system for processing approved invoice items, thus restricting user intervention in an approval process for these items. And the Examiner merely uses Guzelsu to show invoices having multiple entries but makes no attempt to show where the reference teaches the entry-based recitations of claim 1.

The Examiner maintains that “taken in combination, Anderson's teaching of determining an individual with authority to approve an invoice employed with Guzelsu's teaching of auditing each entry of an invoice meets the claimed invention.” In response, the Applicant respectfully submits that in the background of Applicant's invention, the Applicant admits that full invoice processing as taught by Anderson and the tracking of individual line items as taught by Guzelsu are known in the art. See *Specification*, page 3, ¶ 1. However, in contrast, the present invention enables processing of individual items as shown in claim 1. The benefit of this processing enables the effectiveness of B2B invoice processing to be increased by enabling individual line items of the invoice to be disputed without the entire invoice having to be in dispute. As mentioned previously, neither references mention, or have the capabilities for processing entries in an invoice in a manner consistent with the recitations of claim 1.

Because these references fail to teach or suggest all of the recitations of claim 1, Applicants request that the rejection of this claim be withdrawn and the claim allowed.

Claims 2-4 depend from claim 1. As explained, claim 1 is distinguishable from Anderson et al. and Guzelsu. Accordingly, claims 2-4 are also distinguishable from these references for at least the same reasons set forth for claim 1. Further, Anderson et al. and Guzelsu do not teach or suggest the recitations of claims 2-4. For example, the Examiner asserts that Table 4 and associated descriptions by Anderson et al. teach the recitations of claim 2. See *Office Action*, page 4, ¶ 2. Applicants disagree. Anderson et al. does not teach associated item types that identify a respective purchasing entity and determining an association between an individual and a respective purchasing entity identified by the entry type, as recited in claim 2. Instead, Anderson et al. discloses a an invoice analyzer that produces a plurality of reports provided to a recipient from an originator. Table 4 merely describes what report is generated, the originator of the report, and the recipient of the report. Nowhere does Anderson et al. discuss entry types or determining an association and an individual with authority, as recited in claim 2.

For these additional reasons, Applicants request that the rejection of claims 2-4 under 35 U.S.C. § 103(a) be withdrawn and the claims allowed.

Applicants also traverse the Examiner's assertion that Anderson et al. and Guzelsu teach and suggest the recitations of claims 5 and 6. In addition to the reasons set forth in connection with claim 1, these references do not teach or suggest determining a value of the invoice or each entry of the invoice, and automatically approving all, or one or more, of the entries included in the invoice based on the value, as recited in claims 5 and 6, respectively. In fact, the Examiner failed to address all of the recitations of these claims in the Office Action, such as the automatic approval

process. Additionally, the Examiner does not address “making one or more entries available to a corresponding approver” and “wherein each entry that is made available excludes entries that the corresponding authorized approver does not have the authority to approve,” as recited in claim 6. A rejection is improper unless the facts asserted are wellknown or common knowledge in the art, and capable of instant and unquestionable demonstration as being wellknown or are specifically taught or suggested in the cited prior art.

Accordingly, because the Examiner has not demonstrated that the cited references teach or suggest the recitations of claims 5 and 6, nor provides any other evidence to support the position that these recitations are obvious other than personal conclusions, Applicants request that the rejection of these claims under 35 U.S.C. § 103(a) be withdrawn and the claims allowed.

Claims 7-9 depend from claim 6. As explained, claim 6 is distinguishable from Anderson et al. and Guzelsu. Accordingly, claims 7-9 are also distinguishable from these references for at least the same reasons set forth for claim 6 and Applicants request that the rejection of these claims under 35 U.S.C. § 103(a) be withdrawn and the claims allowed.

Also, Anderson et al. and Guzelsu fail to teach or suggest the recitations of claim 10. In fact, the Examiner again has failed to address all of the recitations of this claim. Claim 10 recites, among other things,

determining, for each item included in the invoice, a
corresponding approver with authority to approve the item;
and

facilitating a review process for each item based on the determination, wherein the review process is defined by the purchasing entity.

As explained, the references do not teach or suggest determining for each item in an invoice an approver to approve the item. Further, the references fail to teach or suggest, and the Examiner never addresses, the recitation of “facilitating a review process for each item based on the determination, wherein the review process is defined by the purchasing entity,” as recited in claim 10. Accordingly, Applicants request that the rejection of claim 10 under 35 U.S.C. § 103(a) be withdrawn and the claim allowed.

Claims 11-14 depend from claim 10. As explained, claim 10 is distinguishable from Anderson et al. and Guzelsu. Accordingly, claims 11-14 are also distinguishable from these references for at least the same reasons set forth for claim 10 and Applicants request that the rejection of these claims under 35 U.S.C. § 103(a) be withdrawn and the claims allowed.

Also, Anderson et al. and Guzelsu do not teach or suggest, and the Examiner does not address, all of the recitations of claim 15. In particular, the references do not teach or suggest directing individual items to respective approvers such that each respective approver receives only items that the respective approver is authorized to review. The Examiner never mentions this recitation in the Office Action, nor does the cited prior art disclose or suggest the recitation. Instead, Anderson et al. and Guzelsu are limited to providing either full invoices or line item reconciliation processes for an entire invoice, without the capabilities of controlling which items of an invoice are

directed to selected approvers. Accordingly, Applicants request that the rejection of claim 15 under 35 U.S.C. § 103(a) be withdrawn and the claim allowed.

Claim 16 recites, among other things, “accessing the invoice information that includes information on only items included in the invoice that are authorized for review and generating an indication reflecting a decision on whether to approve each authorized item.” Because Anderson et al. and Guzelsu do not teach the recitations of claim 16, Applicants request that the rejection of this claim under 35 U.S.C. § 103(a) be withdrawn and the claim allowed.

Claims 17-19 depend from claim 16. As explained, claim 16 is distinguishable from Anderson et al. and Guzelsu. Accordingly, claims 17-19 are also distinguishable from these references for at least the same reasons set forth for claim 16 and Applicants request that the rejection of these claims under 35 U.S.C. § 103(a) be withdrawn and the claims allowed.

Also, Anderson et al. and Guzelsu, alone or in combination, fail to teach or suggest, and the Examiner does not address, the recitations of claim 20, including, among other things,

- receiving profile information associated with a user,

- receiving an indication reflecting the assignment of the user's approver status based on the profile information,

- assigning an entity identifier to the user based on the approver status, wherein the identifier indicates an entity within the providing entity that purchases items from the purchasing entity, and

- assigning the user as an approver with the authority to approve the purchases reflected in entries included in an invoice provided by the providing entity.

The references do not disclose or suggest processes that are associated with assigning identity identifiers and approver status for approvers of purchases reflected in entries of an invoice. And, the Examiner does not address these recitations. Accordingly, Applicants request that the rejection of this claim under 35 U.S.C. § 103(a) be withdrawn and the claim allowed.

Moreover, Anderson et al. and Guzelsu, alone or in combination, fail to teach or suggest, among other things, receiving line item information associated with selected line items of one or ore line items included in the invoice, performing a dispute/approval process on the line item information and generating an indication of the results of the dispute/approval process, as recited in claim 21. Indeed, the Examiner never addresses these recitations in the Office Action. Because Anderson et al. and Guzelsu do not teach the recitations of claim 1, Applicants request that the rejection of this claim under 35 U.S.C. § 103(a) be withdrawn and the claim allowed.

Claims 22-25 depend from claim 21. As explained, claim 21 is distinguishable from Anderson et al. and Guzelsu. Accordingly, claims 22-25 are also distinguishable from these references for at least the same reasons set forth for claim 21 and Applicants request that the rejection of these claims under 35 U.S.C. § 103(a) be withdrawn and the claims allowed.

Further, Anderson et al. and Guzelsu, alone or in combination, do not teach, and the Examiner does not address, the recitations of claim 26, 31, and 32. As explained, neither of the references disclose the ability to determine approvers for corresponding line items in an invoice, much less permitting access to a portion of data in an invoice by a authorized individual based on the individual's profile data, as recited in these claims.

Accordingly, Applicants request that the rejection of the claim under 35 U.S.C. § 103(a) be withdrawn and the claim allowed.

Claims 27-30 and 33-36 depend from claims 26 and 32, respectively. As explained, claims 26 and 33 are distinguishable from Anderson et al. and Guzelsu. Accordingly, claims 27-30 and 33-36 are also distinguishable from these references for at least the same reasons set forth for claims 26 and 33, and Applicants request that the rejection of these claims under 35 U.S.C. § 103(a) be withdrawn and the claims allowed.

Claims 37 and 62, 41 and 66, 42 and 67, 46, 51 and 71, 52 and 76, 56 and 77 and 81, 57 and 82 include recitations similar to those of claims 1, 5, 6, 10, 15, 16, 20, and 21, respectively. As explained, claims 1, 5, 6, 10, 15, 16, 20, and 21 are distinguishable from Anderson et al. and Guzelsu. Accordingly, claims 37 and 62, 41 and 66, 42 and 67, 46, 51 and 71, 52 and 76, 56 and 77 and 81, 57 and 82 are also distinguishable from these references for at least the same reasons set forth for claims 1, 5, 6, 10, 15, 16, 20, and 21, and Applicants request that the rejection of these claims under 35 U.S.C. § 103(a) be withdrawn and the claims allowed.

Claims 38-40 and 63-65, 43-45 and 68-70, 47-50 and 72-75, 53-55 and 78-80, 58-61 and 83-86 depend from claims 37 and 62, 42 and 67, 46 and 71, 52 and 77, 57 and 82, respectively. As explained, claims 37 and 62, 42 and 67, 46 and 71, 52 and 77, 57 and 82 are distinguishable from Anderson et al. and Guzelsu. Accordingly, claims 38-40 and 63-65, 43-45 and 68-70, 47-50 and 72-75, 53-55 and 78-80, 58-61 and 83-86 are also distinguishable from these references for at least the same reasons set forth for

their respective base claims, and Applicants request that the rejection of these dependent claims under 35 U.S.C. § 103(a) be withdrawn and the claims allowed.

b. There is no motivation to combine Anderson et al. and Guzelsu to suggest the recitations of claim 1-86.

In addition to the reasons set forth in subsection (a) of this response, Applicants submit there is no motivation to combine Anderson et al. and Guzelsu to render claims 1-86 obvious and unpatentable. The Examiner asserts that one skilled in the art would be motivated to implement invoices with a plurality of entries with Anderson et al. for “administrative convenience.” See *Office Action*, page 4, ¶ 1.

Determinations of *prima facie* obviousness must be supported by a finding of “substantial evidence.” See *In re Zurko*, 258 F.3d 1379, 1386 (Fed. Cir. 2001). Specifically, unless “substantial evidence” found in the record supports the factual determinations central to the issue of patentability, including motivation, the rejection is improper and should be withdrawn.

In this case, there is no “substantial evidence” in the record to support the attempted combination of Anderson et al. and Guzelsu, and the requisite “clear and particular” motivation required to support a *prima facie* case of obviousness is lacking because Anderson et al. and Guzelsu are directed to different users. In particular, Anderson et al. discloses a system for processing invoices. The system uses an invoice reviewer that displays invoices to a customer for subsequent review and approval. Anderson et al. merely discloses a process for entire invoice processing. Such processing is completely unlike the system that Guzelsu discloses. Guzelsu discloses a

system that performs reconciliation processes for invoice items. These processes compare approved items with vendor items to automatically audit vendor invoices. The systems are unrelated, and there is no reason a system for entire invoice processing directed to a customer would also want reconciliation processing for invoice items directed to a vendor.

Because the Examiner provides no objective reason why, other than to attempt to meet the terms of the claims, a skilled artisan would have been motivated to combine the references, a prima facie case of obviousness has not been established. Accordingly, Applicants request that the rejection of claims 1-86 under 35 U.S.C. § 103(a) be withdrawn and the claims allowed.

c. The Examiner has introduced a new grounds of rejection.

It is respectfully noted that the Examiner has introduced a new grounds of rejection by stating that a limitation that was not previously addressed in the prior Office Action is now rejected as being inherent in the present Office Action. Specifically, at page 36, ¶ 3 of the prior response, Applicant pointed out that the limitation of “wherein entries that the individual does not have authority to approve are not made available to the individual” of claim 1 was not addressed by the Examiner in the prior Office Action. In response, in the present Office Action, the Examiner rejected the disputed limitation as being inherent. *See Office Action, page 4, ¶ 4.* However, it is respectfully submitted that since the use of inherency in reference to the disputed limitation was first introduced in the present Office Action, that the use of inherency introduced a new

grounds of rejection and therefore the finality of the present Office Action should be withdrawn.

III. Conclusion

In view of the foregoing amendments and remarks, Applicants respectfully request the reconsideration and reexamination of this application and the timely allowance of claims 1-86.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Applicant respectfully requests that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing claims 1-86 in condition for allowance. Applicant(s) submit(s) that the proposed amendments of claims 20, 21, 32, 32, 39, 40, and 43 do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner, since all of the elements and their relationships claimed were either earlier claimed or inherent in the claims as examined. Therefore, this Amendment should allow for immediate action by the Examiner.

Furthermore, Applicants respectfully point out that the final action by the Examiner presented some new arguments as to the application of the art against Applicants' invention. It is respectfully submitted that the entering of the Amendment would allow the Applicants to reply to the final rejections and place the application in condition for allowance.

Finally, applicants submit that the entry of the amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.

In view of the foregoing remarks, Applicants submit that this claimed invention, as amended, is neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicants therefore request the entry of this Amendment, the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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